

AGENDA  
ZONING REVIEW BOARD  
OCTOBER 13, 2005  
6:00 P.M., CITY HALL, COUNCIL CHAMBERS, SECOND FLOOR  
**MARKED AGENDA**

**NEW CASES:**

**Z-05-94-**An Ordinance by Zoning Committee to amend the 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to **create a new Chapter to be entitled 20N, Castleberry Hill Landmark District; to create a new Subsection to Chapter 28A to be entitled (48) Castleberry Hill Landmark District; to establish regulations for said District; to enact, by reference and incorporation, a map establishing the boundaries of said District; and to designate and zone all properties lying within the boundaries of said District to the Zoning Category of Landmark District (LD) pursuant to Chapter 20 of the Zoning Ordinance of the City of Atlanta, rezoning from C-3 (Commercial Residential), C-3-C (Commercial Residential, Conditional), C-5 (Central Business Support), C-5-C (Central Business Support, Conditional), I-1 (Light Industrial) and SPI-1 (Special Public Interest, Central Core) to LD (Landmark District), to repeal conflicting laws; and for other purposes. Boundaries-**The proposed Castleberry Hill Historic District includes all properties within the following general boundary: Beginning at the southeast corner of the intersection of McDaniel St., SW and Whitehall St., SW; then proceeding southeasterly 166.35 ft. to the rear property line of the property at 490 Whitehall St., SW; then proceeding northeasterly 938.3 ft. along the rear property lines of properties facing Whitehall St., SW to a point; thence southeasterly 28.5 ft. to a point; thence northeasterly 1006.8 ft. along the rear property lines of properties facing Whitehall St., SW; thence northerly 102 ft. to the southwest corner of the intersection of Whitehall St., SW and Spring St., SW; thence northerly 155 ft. to a point on the west side of Spring St., SW; thence northerly 923.3 ft. along the west side of Spring St., SW to a point; thence northeasterly 1250.6 ft. along the west side of Spring St., SW to the southwest corner of the intersection of Spring St., SW and Mitchell St., SW; thence 1061 ft. northwesterly along the southwest side of Mitchell St., SW; thence northeasterly 211.8 ft.; thence westerly 668.2 ft. along the south side of Martin Luther King, Jr. Blvd., SW to the southeast corner of the intersection of Martin Luther King, Jr. Blvd., SW and Mitchell St., SW; thence southwesterly 92 ft. to the southwest corner of the intersection of Martin Luther King, Jr. Blvd., SW and Mitchell St., SW; thence westerly 384.4 ft. along the south side of Martin Luther King, Jr. Blvd., SW to the southeast corner of the intersection of Martin Luther King, Jr. Blvd., SW and Northside Dr., SW; thence southerly 1162.4 ft. along the east side of Northside Dr., SW to a point; thence southeasterly 10 ft. to a point; thence west-southwesterly 14 ft. to a point; thence southwesterly 2082.2 ft. along the east side of Northside Dr., SW to the northeast corner of the intersection of Northside Dr., SW and McDaniel St., SW; thence southeasterly 1288.7 ft. along the northeast side of McDaniel St., SW to the point of beginning. Land Lots: 77, 83, 84 and 85, 14<sup>th</sup> District, Fulton County, Georgia.

NPU-M	<b>APPROVAL</b>	COUNCIL DISTRICTS 2, 3 and 4
<b>STAFF RECOMMENDATION:</b>	<b>APPROVAL</b>	
<b>ZRB RECOMMENDATION:</b>	<b>60-DAY DEFERRAL-DECEMBER 2005</b>	

**Z-05-95**-An Ordinance by Zoning Committee to amend the 1982 Ordinance of the City of Atlanta, as amended, so as to **create a new chapter to be entitled 200, Peachtree Heights Park Historic District; to establish overlay regulations for said district; to enact, by reference and incorporation, a map establishing the boundaries of said district; and to designate and zone all properties lying within the boundaries of said district to the overlay zoning category of historic district (HD) pursuant to Chapter 20 of the Zoning Ordinance of the City of Atlanta, rezoning from R-2A (Single-Family Residential) to R-2A/HD (Single-Family Residential/Historic District), to repeal conflicting laws; and for other purposes.** Boundaries-The proposed Peachtree Heights Park Historic District includes all properties within the following general boundary: Beginning at the southeast corner of the property at 81 Peachtree Battle Ave., NW; then proceeding northeasterly 781 ft.; thence northwesterly 109 ft.; thence northeasterly 103.1 ft.; thence southeasterly 100 ft.; thence northerly 986.8 ft.; thence westerly 100 ft.; thence northerly 134.3 ft.; thence easterly 100 ft. to the rear property line of the property at 2615 Rivers Rd., NW; then proceeding northerly 1450 ft.; thence northwesterly 331.2 ft.; thence northeasterly 340 ft.; thence northerly 125 ft.; thence northeasterly 322.2 ft. to the rear property line of the property at 2811 Andrews Dr., NW; then proceeding northerly 1560.9 ft. along the rear property lines of properties facing Andrews Dr., NW; thence westerly 141.8 ft.; thence southwesterly 496 ft. along the west side of Andrews Dr., NW; thence northeasterly 905.8 ft. along the north side of Habersham Way, NW; thence northeasterly 337 ft.; thence westerly 159.2 ft.; thence southwesterly 154.3 ft.; thence northwesterly 194.4 ft.; thence westerly 110.2 ft.; thence southwesterly 101.9 ft.; thence southerly 85.8 ft.; thence southeasterly 218 ft.; thence southwesterly 135.3 ft.; thence northwesterly 230 ft.; thence southwesterly 164.2 ft.; thence northwesterly 173.8 ft.; thence northeasterly 146.5 ft.; thence easterly 46.6 ft.; thence northwesterly 139.6 ft.; thence westerly 960 ft.; thence southeasterly 25.5 ft.; thence westerly 273 ft. to the rear property line of the property at 3000 Habersham Rd., NW; then proceeding southerly 562.4 ft. along the rear property lines of properties facing Habersham Rd., NW; thence southeasterly 553 ft. along the north side of Habersham Rd., NW to the northwest corner of the intersection of Habersham Rd., NW and Argonne Rd., NW; thence southwesterly 75 ft. to the northwest corner of the property at 2930 Habersham Rd., NW; thence southwesterly 645.8 ft. along the northwest property line of the property at 2930 Habersham Rd., NW to a point; thence southerly 154 ft.; thence northeasterly 205 ft.; thence southeasterly 10 ft.; thence southerly 225.2 ft.; thence northeasterly 117.3 ft.; thence southeasterly 76.2 ft.; thence southwesterly 30 ft.; thence southeasterly 79.3 ft.; thence northeasterly 60 ft.; thence southwesterly 137.6 ft.; thence southeasterly 163.5 ft.; thence southerly 145.3 ft.; thence southwesterly 261.2 ft.; thence southerly 80 ft.; thence northwesterly 100 ft.; thence southwesterly 148.4 ft.; thence southerly 730 ft.; thence westerly 25 ft.; thence southerly 2831.5 ft. to the rear property line of the property at 306 Peachtree Battle Ave., NW; then proceeding easterly 401 ft. along the rear property lines of properties facing Peachtree Battle Ave., NW to a point; thence northeasterly 50 ft. to the rear property line of the property at 260 Peachtree Battle Ave., NW; then proceeding southeasterly 948.5 ft. along the rear property lines of properties facing Peachtree Battle Ave., NW to a point; thence northeasterly 50 ft.; thence southeasterly 122.5 ft.; thence southeasterly 50 ft.; thence southeasterly 387 ft.; thence northeasterly 17 ft.; thence southeasterly 100 ft.; thence southwesterly 216.7 ft.; thence southeasterly 200 ft.; thence northeasterly 500 ft. to the northeast corner of the property at 10 Peachtree Battle Ave., NW; thence northeasterly 178 ft. to the point of beginning.  
Land Lots: 100, 111, 112 & 113, 17<sup>th</sup> District, Fulton County, Georgia.  
**NPU-B /DEFERRAL      NPU-C- DENIAL      COUNCIL DISTRICTS 7 and 8**  
**STAFF RECOMMENDATION:    30-DAY DEFERRAL-NOVEMBER 2005**  
**ZRB RECOMMENDATION:      60-DAY DEFERRAL-DECEMBER 2005**

**Z-05-102**-An Ordinance by Councilmember Howard Shook to amend Section 16-18L.006 of the City of Atlanta Zoning Code by adding a new Sub-Section 16-18L.006(2) (c) allowing shared access and parking between Mixed Use Developments and Churches in the SPI-12 Buckhead/Lenox Stations Special Public Interest District; and for other purposes.

BY COUNCILMEMBER HOWARD SHOOK

NPU-B **APPROVAL** COUNCIL DISTRICT 7

**STAFF RECOMMENDATION: 30-DAY DEFERRAL-NOVEMBER 2005**

**ZRB RECOMMENDATION: 30-DAY DEFERRAL-NOVEMBER 2005**

**U-05-29**-An Ordinance granting a Special Use Permit for a **Personal Care Home** (Section 16-06.005 (1) (g)) property located at **2412 Forrest Park Road, S.E.** fronting approximately 79. 62 feet on the east side of Forest Park Road, S.E.. Property is located approximately 90 feet north of the intersection of Forrest Park Road and Rebel Forest Drive. Depth: varies. Area .approximately .242 acres. Land Lot 5. 14<sup>th</sup> District, Fulton County, Georgia.

OWNER: MICHAEL AND MARGIE MCKIBBON

APPLICANT MICHAEL AND MARGIE MCKIBBON

NPU-Z **APPROVAL** COUNCIL DISTRICT 1

**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**

**ZRB RECOMMENDATION: APPROVAL CONDITIONAL**

**Z-05-84**-An Ordinance to rezone from the R-3 (Single Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **3052 and 3072 Clarendale Drive N.E.**, fronting approximately 270 feet on the northwesterly side of Clarendale Drive. Depth: varies. Area: approximately 1.672 acres. Land Lot 197. 14<sup>th</sup> District, Fulton County, Georgia.

OWNER: DREADNOUGHT DEVELOPMENT

APPLICANT: TONY A TRIPOLI

NPU-A: **DENIAL** COUNCIL DISTRICT 8

**STAFF RECOMMENDATION: CONTINUE TO OCTOBER 20, 2005 AGENDA**

**ZRB RECOMMENDATION: CONTINUE TO OCTOBER 20, 2005 AGENDA**

**Z-05-87**-An Ordinance to amend Ordinance 02-O-0064 which rezoned property located at **4401 Northside Parkway, N.W.** to O-I-C (Office-Institutional-Conditional) District for the purposes of a site plan amendment. Property fronts approximately 1215 feet on the east side of Northside Parkway. Depth: varies. Area: 85.22 acres. Land Lots 214, 215 and 236, 17<sup>th</sup> District. Fulton County, Georgia,

OWNER: POST PROPERTIES HOME, L.P.

APPLICANT POST PROPERTIES INC. c/o Smith, Gambrell and Russell, LLP by Amit Bose

NPU-A **DEFERRAL** COUNCIL DISTRICT 9

**STAFF RECOMMENDATION: 30-DAY DEFERRAL-NOVEMBER 2005**

**ZRB RECOMMENDATION: 30-DAY DEFERRAL-NOVEMBER 2005**

**Z-05-16**—An Ordinance to rezone from the R-4 (Single Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **2217 Browns Mill Road and 406 E. Rhinehill Road, S.E.** Property fronting approximately 163 feet on the west side of Browns Mill Road and approximately 173 feet on the north side of East Rhinehill Road. Depth: varies. Area: 7.10 acres. Land Lot 38, 14<sup>th</sup> District, Fulton County, Georgia.

OWNER: DAMON BOSWELL

APPLICANT: CROWN AMBASSADOR PROPERTIES, LLC

NPU-Z **DEFERRAL** COUNCIL DISTRICT 1

**STAFF RECOMMENDATION: 30-DAY DEFERRAL-NOVEMBER 2005**

**ZRB RECOMMENDATION: 30-DAY DEFERRAL-NOVEMBER 2005**

**DEFERRED CASES:**

**Z-05-44**—An Ordinance to rezone from PD-OC (Planned Development-Office-Commercial) District to O-I (Office -Institutional) District, property located at **3630 Peachtree Road and 3690 Peachtree Dunwoody Road, N.E. (also addressed as 3700 and 3706 Peachtree Dunwoody Road, N.E.)** fronting approximately 232.40 feet on the north side of Peachtree Road and approximately 648 feet on the west side of Peachtree Dunwoody Road. Property is located at the northwest intersection of Peachtree Road and Peachtree Dunwoody Road. Depth; varies; Area: 3.98 acres; Land Lot 44, 17<sup>th</sup> District, Fulton County, Georgia.

OWNER: MILLENIUM BUCKHEAD ASSOCIATES, LLC.

APPLICANT: MILLENIUM BUCKHEAD ASSOCIATES, LLC.

NPU-B **APPROVAL-CONDITIONAL** COUNCIL DISTRICT 7

**STAFF RECOMMENDATION: 30-DAY DEFERRAL-NOVEMBER 2005**

**ZRB RECOMMENDATION: 30-DAY DEFERRAL-NOVEMBER 2005**

**Z-05-45**—An Ordinance to rezone from R-3 (Single-Family Residential) District to O-I (Office -Institutional) District, property located at **3706 and 3711 Peachtree Dunwoody Road, N.E.** fronting approximately 220 feet on the west side of Peachtree Dunwoody Road and approximately 477 feet north of the intersection of the Peachtree Road and Peachtree Dunwoody Road. Depth; varies: Area: 2.195 acres; Land Lot 44, 17<sup>th</sup> District. Fulton County, Georgia.

OWNER: WIEUCA ROAD BAPTIST CHURCH

APPLICANT: WIEUCA ROAD BAPTIST CHURCH

NPU-B **APPROVAL** COUNCIL DISTRICT 7

**STAFF RECOMMENDATION: 30-DAY DEFERRAL-NOVEMBER 2005**

**ZRB RECOMMENDATION: 30-DAY DEFERRAL-NOVEMBER 2005**

**Z-05-57**-An Ordinance by Zoning Committee to rezone property from the R-4 (Single-Family Residential) District to the RG-3 (Residential General Sector 3) District, located at **915 Constitution Road, S.E.**, fronting approximately 378 feet on the south side of Constitution Road and approximately 436 feet on the east side of Forrest Park Road. Property is located at the southeast corner of the intersection of Constitution Road and Forrest Park Road. Depth: Varies. Area: Approximately 3.56 Acres. Land Lot 6, 14<sup>th</sup> District, Fulton County, Georgia.

OWNER: MICHAEL KEEFE

APPLICANT: MICAH LIPSCOMB

NPU-Z           **APPROVAL**           COUNCIL DISTRICT 1

**STAFF RECOMMENDATION:   APPROVAL CONDITIONAL**

**ZRB RECOMMENDATION:     APPROVAL CONDITIONAL**

**Z-05-66**-An Ordinance to rezone from the I-1 (Light Industrial) District to the R4-A (Single-Family Residential) and HD-20-I (Adair Park Historic District) District property located at **652 Shelton Avenue S.W.**, Land Lot 107, 14<sup>th</sup> District, Fulton County, Georgia.

BY: COUNCILMEMBER CLETA WINSLOW

NPU-V           **DEFERRAL FOR 30-DAYS**   COUNCIL DISTRICT 4

**STAFF RECOMMENDATION:   APPROVAL**

**ZRB RECOMMENDATION:     APPROVAL**

**Z-05-72**-An Ordinance to rezone from the R-3 (Single Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at **3585, 3591 and 3599 Roxboro Road, N.E.**, fronting approximately 212.31 feet on the east side of Roxboro Road and approximately 221.71 feet on the north side of Eulalia Road. Property is located at the northeast intersection of Roxboro and Eulalia Roads. Depth: varies. Area: 1.28 acres. Land Lot 9, 17<sup>th</sup> District, Fulton County, Georgia.

OWNERS:   GRACE A GOSSETT C/O LARRY W. DOOLEY  
              AND LOUISE A. CASH

APPLICANT: GRACE DEVELOPMENT CORPORATION

NPU-B           **DEFERRAL**           COUNCIL DISTRICT 7

**STAFF RECOMMENDATION:   APPROVAL CONDITIONAL**

**ZRB RECOMMENDATION:     30-DAY DEEFERRAL-NOVEMBER 2005**

**END OF AGENDA**